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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:

RUSSELL WAYNE LESTER, an
individual, dba Dixon Ridge Farms,

Debtor in Possession.

CASE NO.: 20-24123-E-11

Chapter 11

DCN: FWP-2

Fifth Interim Hearing

Date: December 10, 2020

Time: 10:30 a.m.

Courtroom: 33 – Honorable Ronald H. Sargis
501 I Street, 6th Floor
Sacramento, CA

**NOTICE OF FIFTH INTERIM HEARING ON DEBTOR IN POSSESSION'S
EMERGENCY MOTION FOR AN ORDER (A) AUTHORIZING INTERIM AND FINAL
USE OF CASH COLLATERAL; (B) GRANTING REPLACEMENT LIENS; AND
(C) SCHEDULING FINAL HEARING PURSUANT TO BANKRUPTCY RULE 4001**

TO ALL INTERESTED PARTIES AND THEIR COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that a fifth interim hearing ("Hearing") will be held on December 10, 2020 at 10:30 a.m., or as soon thereafter as the matter may be heard, in the Courtroom of the Honorable Ronald H. Sargis, United States Bankruptcy Judge, 501 I Street, Courtroom 33, Sacramento, California, 95814, on the Emergency Motion for an Order (A) Authorizing Interim and Final Use of Cash Collateral; (B) Granting Replacement Liens; and (C) Scheduling Final Hearing Pursuant to Bankruptcy Rule 4001 (the "Motion") submitted by the above-captioned debtor in possession (the "Debtor in Possession").

1 **NOTICE IS FURTHER GIVEN** that by the Motion, the Debtor in Possession is
2 requesting entry of an order:

3 a. approving the continued interim use of cash collateral at the fifth interim
4 hearing pursuant to the terms of a revised cash collateral budget filed concurrently herewith as
5 Exhibit A to the Supplemental Declaration of Russell K. Burbank in support of the Motion;

6 b. authorizing the use of cash collateral on terms prescribed by the Court through a
7 hearing date in either February or March, 2021;

8 c. authorizing the deposit of a retainer in the amount of \$20,000.00 with the Debtor
9 in Possession's proposed trust and tax counsel, Wagner Kirkman Blaine Klomprens &
10 Youmans LLP, to be held in trust by such counsel pending approval of any future fee
11 applications;

12 d. granting such other and further relief as the Court deems just and proper under
13 the circumstances.

14 **NOTICE IS FURTHER GIVEN** that all of the information contained in the Motion is
15 not set forth in this notice. A copy of the Motion and all supporting papers are a part of the
16 Court's electronic record, which is the official record of the Court, and can be accessed either
17 through the e-CalWebPACER information system (see <http://www.caeb.uscourts.gov/> --
18 subscription required) or is available for inspection at computer terminals (printing is available),
19 which are located at the Office of the Clerk, Suite 3-200, 501 I Street, Sacramento, California.
20 Counsel for the debtor in possession will also post this notice, the motions, and supporting
21 documents on its web page, which may be accessed as follows: go to www.ffwplaw.com, then
22 click the cases button (last button in the top right-hand corner of the home page), then click on the
23 link to the following web address: <https://ffwplaw.sharefile.com/login.aspx>; then type the
24 following in the Second box "cases@ffwplaw.com" (without quotes) and then type in the second
25 password box "FFWPRlaw!Password1" (again without quotes). Then click on the "Log In"
26 button; then click Russell Lester - Dixon Ridge Farms, and then click on the document that you
27 would like to review.
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1 **NOTICE IS FURTHER GIVEN** that your rights may be affected. You should read
2 these papers carefully and discuss them with your attorney, if you have one in this bankruptcy
3 case. If you do not have an attorney, you may wish to consult one.

4 **NOTICE IS FURTHER GIVEN** that the Motion is filed pursuant to Local Rule of
5 Practice 9014-1(f)(1) and the Court's Fourth Interim Order On Debtor In Possession's Emergency
6 Motion For An Order (A) Authorizing Interim And Final Use Of Cash Collateral; (B) Granting
7 Replacement Liens; And (C) Scheduling Final Hearing Pursuant To Bankruptcy Rule 4001. Any
8 opposition to the granting of the relief sought in the Motion must be filed prior to Monday,
9 December 7, 2020, at 3:01 p.m. If you do not want the Court to approve the Motion, or if you
10 want the Court to consider your views on the Motion, you or your attorney must attend the
11 hearing scheduled on December 10, 2020, at 10:30 a.m., to be held electronically at the United
12 States Bankruptcy Court, 501 I Street, Courtroom 33, Sacramento, California, 95814, before the
13 Honorable Ronald H. Sargis, United States Bankruptcy Judge. Failure to oppose the relief
14 requested in the Motion may constitute a waiver of your objections.

15 **PLEASE TAKE FURTHER NOTICE** that effective immediately and extended
16 indefinitely (see General Order 618) all court hearings will be held telephonically, unless
17 otherwise ordered by the Chief Judge of the Bankruptcy Court. For specific information about the
18 operations of the Bankruptcy Court during this time, please see Chief Judge Sargis' Notice of
19 Restricted Courthouse Access and Required Telephonic Appearances for Counsel and Parties
20 which provides:

21 **If you are a pro se debtor or creditor** (a debtor or creditor without a lawyer), you may
22 appear in court telephonically by calling Court Call, a third-party service at: 1-866-582-6878. The
23 Court understands that pro se debtors may use this service without charge for now, but the Court
24 urges you to check with Court Call. If you would like to file a document, please file it by mail.
25 Check the Court's website for the mailing addresses of the Court's divisional offices. You may
26 also file a document by bringing it to the court and leaving it in a drop box the Court has in its
27 lobby. Court Security Officers will show you where the drop box is located. The Court asks that
28 you do not put cash in the drop box. If you do leave cash in the drop box, the Court will not return

1 any change due. Cashier's checks and money orders will be accepted. If you are an attorney,
2 please use Court Call to telephonically appear in court hearings. Court Call's number is: 1-866-
3 582-6878. The Court understands that wait-times are longer than usual, so please give yourself
4 plenty of time. Any future changes or updates will be posted on the Court's website and
5 communicated as appropriate.

6 **NOTICE IS FURTHER GIVEN** that interested parties can determine whether the matter
7 has been resolved without oral argument or whether the Court has issued a tentative ruling, and
8 can view any pre-hearing dispositions by checking the Court's website at www.caeb.uscourts.gov
9 after 4:00 p.m. the day before the hearing. Parties appearing telephonically must view the pre-
10 hearing dispositions prior to the hearing.

11 For a charge, telephonic court appearances may be arranged by contacting Court Call at
12 (866) 582-6878 at least 24 hours in advance of the hearing.

13 If you or your attorney do not take these steps, the Court may decide that you do not
14 oppose the relief sought in the Motion and may enter orders granting the relief requested.

15 Dated: November 25, 2020

FELDERSTEIN FITZGERALD
WILLOUGHBY PASCUZZI & RIOS LLP

17 By: /s/ Thomas A. Willoughby
18 THOMAS A. WILLOUGHBY
19 Attorneys for Debtor in Possession
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